

REMARKS

This responds to the Office Action mailed on October 10, 2008.

Claim 1 is amended; claims 8-20 were previously canceled, without prejudice to the Applicant; as a result, claims 1-7 are now pending in this application.

Example support for the amendments maybe found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs 22, 34, 37, 43, 45, and 54.

§103 Rejection of the Claims

Claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fristoe et al. (U.S. 7,178,161; hereinafter "Fristoe") in view of Wiser et al. (U.S. 6,385,596; hereinafter "Wiser"). To sustain an obviousness rejection, each and every element in the rejected claims must be taught suggested in the proposed combination of references.

Applicant has removed the "or" condition from the claims, such that the selection of the purchasing system is a manual selection and not inferred as the Examiner asserts to be the case in Fristoe. Additionally, Applicant has now made amendments to make clear it is the media player that tracks information and reports it back and specific types of information are now provided.

The proposed combination of references lack each and every element in the amended claims. As such, the rejections of record should be withdrawn and the claims allowed.

Applicant respectfully requests an indication of the same.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 1-12-09

By / Joseph P. Mehrle /

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 12, 2009.

Name Myra Saunders

Signature MS